IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8805 of 2000

For Approval and Signature:

HON'BLE MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GHELUBHA BANESINH JADEJA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 8805 of 2000

Mr. BM Prajapati for MR GM AMIN for Petitioner No. 1

Mr. M.R. Mengde, AGP for Respondent No. 1-4

CORAM : HON'BLE MR.JUSTICE H.K.RATHOD

Date of decision: 20/12/2003

ORAL JUDGEMENT

Heard learned advocate Mr. Prajapati for Mr. Amin for the petitioner and Mr. Mengde, learned AGP who

is appearing for the respondent authorities. The grievance of the petitioner is that his pension has not been fixed finally by the respondents. Today, when the matter was taken up for hearing, learned AGP Mr. Mengde appearing for the respondent authorities has shown letter dated 18.9.2000 issued by the office of the Pension and Provident Fund, Ahmedabad addressed to the Government Pleader, Gujarat High Court in connection with the present petition and has submitted that the the final pension of the petitioner has already been sanctioned by the office of the Director of Pension and Provident, Ahmedabad. After showing the said letter before this Court, he has tendered copy of the said letter and has requested to take it on the record of the matter. Same is ordered to be taken on the record of this petition. According to Mr. Mengde, in view of the said letter dated 18.9.2000, grievance of the petitioner is not surviving and the petition is, therefore, required to be disposed of as not surviving. Learned advocate Mr. Prajapati appearing for Mr. Amin for the petitioner is also in agreement with the proposition advanced by the learned AGP Mr. Mengde.

Considering the submissions made by the learned advocates for the parties and also considering the contents of the letter dated 18.9.2000, according to my opinion, the petition is required to be disposed of as not surviving in view of the letter of the Director of Pension and Provident Fund dated 18.9.2000. Hence this petition is disposed of as not surviving. Rule is discharged. Interim relief if any, shall stand vacated. There shall be no order as to costs.

Dt.20.12.2003. (H.K. Rathod,J.)
Vyas